

JAN 07 2008

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To:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office	571-273-8300	

FROM: Gregory P. Einhorn, Reg # 38,440

DATE: January 7, 2008

Number of pages with cover page: 6

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## Comments:

ATTORNEY DOCKET: 564462001801  
GROUP ART UNIT: 1652  
EXAMINER: P. Tung  
SERIAL NO.: 09/291,931  
FILING DATE: April 13, 1999  
INVENTORS: Keith KRETZ et al.  
TITLE: PHYTASE

## Papers attached:

1. Transmittal (1 page)
2. Fee Transmittal (1 page + Duplicate for Fee Processing)
3. Notification of Loss of Small Entity Status (2 pages)

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SD-406869

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PTO/SB/17 (10-07)

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<b>FEE TRANSMITTAL</b> <b>For FY 2008</b> Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4318).		<b>Complete if Known</b>	
		Application Number	Patent#: 6,190,897 Application#: 09/291,931
		Filing Date	Issued: February 20, 2001 Filed: 09/291,931
		First Named Inventor	Keith A. KRETZ
		Examiner Name	P. Tung
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Art Unit	1652
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 0.00		Attorney Docket No.	564462001801

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<b>METHOD OF PAYMENT</b> (check all that apply)	
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Deposit Account <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify):	Deposit Account Number: 03-1952 Deposit Account Name: Morrison & Foerster LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Credit any overpayments

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
Fee Description							Small Entity Fee (\$)
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							210
Multiple dependent claims							370
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
- 20 =		x	=		Fee (\$)		Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 =		x	=				
HP = highest number of independent claims paid for, if greater than 3.							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof		Fee (\$)	Fee Paid (\$)		
- 100 =	/50 =	(round up to a whole number) x					
<b>4. OTHER FEE(\$)</b>							
Non-English Specification, \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): See fee table in enclosed copy of Notification of Loss of Entitlement to Small Entity Status							
							\$2,765.00

<b>SUBMITTED BY</b>		Registration No.	38,440	Telephone	(858) 720-5133
Signature		(Attorney/Agent)		Date	January 7, 2008
Name (Print/Type)	Gregory P. Einhorn				

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
For FY 2008☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

## Complete if Known

Application Number	Patent#: 6,190,897 Application#: 09/291,931
Filing Date	Issued: February 20, 2001 Filed: 09/291,931
First Named Inventor	Keith A. KRETZ
Examiner Name	P. Tung
Art Unit	1652
Attorney Docket No.	564462001801

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## METHOD OF PAYMENT (check all that apply)

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
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Provisional	210	105	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims - 20 = Extra Claims x Fee (\$) = Fee Paid (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims - 3 = Extra Claims x Fee (\$) = Fee Paid (\$)

HP = highest number of independent claims paid for, if greater than 3.

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Total Sheets - 100 = Extra Sheets / 50 = Number of each additional 50 or fraction thereof x Fee (\$) = Fee Paid (\$)

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): See fee table in enclosed copy of Notification of Loss of Entitlement to Small Entity Status \$2,765.00

SUBMITTED BY		Registration No.	38,440	Telephone	(858) 720-5133
Signature		(Attorney/Agent)		Date	January 7, 2008
Name (Print/Type)	Gregory P. Elhorn				

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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	Patent#: 6,190,897 Application#: 09/291,931	
	Filing Date	Issued: February 20, 2001 Filed: April 13, 1999	
	First Named Inventor	Keith A. KRETZ	
	Art Unit	1652	
	Examiner Name	P. Tung	
Total Number of Pages in This Submission	6	Attorney Docket Number	564462001801

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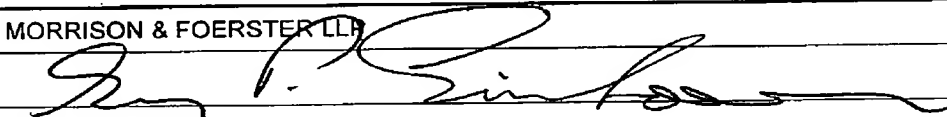
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**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (1 pg + dup)  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Fax Cover Sheet (1 page) Notification of Loss of Entitlement to Small Entity Status (2 pages)
Remarks Customer No. 45975		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Gregory P. Einhorn		
Date	January 7, 2008	Reg. No.	38,440

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Dated: January 7, 2008

Signature: *Michelle Tow*

(Michelle Tow)

JAN - 9 PM 4:53

Docket No.: 564462001801  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Keith KRETZApplication No.: 09/291,931  
Patent No. 6,190,897Filed: April 13, 1999  
Issued: February 20, 2001

For: NOVEL PHYTASE

Confirmation No.: 2783

Art Unit: 1652

Examiner: Peter P. Tung, Ph.D.

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**NOTIFICATION OF LOSS OF ENTITLEMENT  
TO SMALL ENTITY STATUS UNDER 37 CFR § 1.28(c)**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-145001/10/2008 DALLEN 00000015 031952 09291931  
01 FC:1461 2290.00 DA

Dear Sir:

Assignee, Verenum Corporation, hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity and the claim for small entity status filed by Applicant is hereby withdrawn.

Following is a chart showing the fees as paid and the deficiency owed, and Applicant encloses herewith Fee Transmittal SB/17 in payment of the additional fees due.

01/10/2008 DALLEN 00000016 031952 6190897				
Date	Type of Fee	01 FC:1559 Fees Paid	475.00 DA Large Entity Fee	Deficiency Owed
04/13/99	Basic Filing Fee – Utility	380.00	810.00	430.00
11/04/99	Four Months Extension	680.00	1,640.00	960.00
11/04/99	Missing Parts Surcharge	65.00	130.00	65.00
07/27/00	Utility Issue Fee	605.00	1,440.00	835.00

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Application No.: 09/291,931

Docket No.: 564462001801

Date	Type of Fee	Fees Paid	Large Entity Fee	Deficiency Owed
07/27/00	10 Advanced Order Copies	30.00	30.00	0.00
08/20/04	<u>Maintenance Fee – 4<sup>th</sup> Year</u>	<u>455.00</u>	<u>930.00</u>	<u>475.00</u>
	<b>Total Fees Due:</b>			<b>\$2,765.00</b>

Please charge **Deposit Account No. 03-1952** in the amount of \$2,765.00, referencing Docket No. 564462001801.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 564462001801.

Dated: January 7, 2008

Respectfully submitted,

By: 

Gregory P. Einhorn

Registration No.: 38,440

MORRISON & FOERSTER LLP  
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